

Application No. 10/763,631

AMENDMENT UNDER 37 C.F.R. § 1.111 dated October 29, 2008

Reply to Office Action of September 18, 2008

**REMARKS**

Claims 1-22 are pending. In the Office Action, claims 1-22 stand provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 11-30 of co-pending Application Number 10/763,917, now U.S. Patent No. 7,287,461 B2. In response, Applicants submit herewith a Terminal Disclaimer. Accordingly, Applicants respectfully request withdrawal of the rejection and that claims 1-22 be passed to allowance.

The Commissioner is hereby authorized to charge any additional fees which may be required with respect to this communication, or credit any overpayment, to Deposit Account No. 06-1135.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

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Appendix